

**The Corporation of the Town of
New Tecumseth**

By-law

Number 2021-166

“Development Charge By-law”

A by-law with respect to development charges

Whereas section 2(1) of the Development Charges Act, S.O. 1997, c.27 (hereinafter called the Act) enables the Council of a municipality to pass by-laws for the imposition of development charges against land within the municipality for increased capital costs required because of the need for municipal services arising from development in the area to which the by-law applies;

And Whereas the Council of The Corporation of the Town of New Tecumseth, at its meeting of December 13, 2021, approved a Study dated September 24, 2021, as amended, entitled Development Charges Background Study, Town of New Tecumseth, prepared by Hemson Consulting Limited in accordance with the directive of Council (including the Capital Program);

And Whereas the Council has given Notice in accordance with Section 12 of the Act of its development charges proposal and held a public meeting on November 1, 2021;

And Whereas the Council has heard all persons who applied to be heard in objection to, or in support of, the development charges proposal at such public meeting and provided a subsequent period for written communications to be made;

And Whereas the Council has given said communications due consideration, has made any necessary revisions to the Town of New Tecumseth Development Charges Background Study as a result of those communications, and has determined that no further public meetings are required in respect of the Background Study and the Development Charge By-law;

And Whereas the Council in approving the said report directed that development charges be imposed on land under development or redevelopment within the geographical limits of the municipality as hereinafter provided;

And Whereas the Council of the Town has given consideration of the use of more than one development charge by-law to reflect different needs for services in different areas, also known as area rating or area specific development charges, and has determined that for the services and associated infrastructure proposed to be funded by development charges under this by-law, that it is fair and reasonable that the charges continue to be calculated on a municipal-wide uniform basis consistent with the Town's practice;

And Whereas the Study includes a Cost of Growth Analysis that deals with all assets whose capital costs are intended to be funded under this by-law, and that such assets are considered to be financially sustainable over their full life-cycle;

And Whereas the Council of the Town approved the asset management plan outlined in the Study and gave consideration to incorporate the asset management plan identified in the Study within the Town's ongoing practices and corporate asset management strategy;

Now Therefore the Council of The Corporation of the Town of New Tecumseth enacts as follows:

1. In this by-law,

Definitions

- (1) "Act" means the Development Charges Act, S.O. 1997, c.27, and definitions contained within this by-law are for the purpose of assisting with the interpretation of this Act and by-law only.
- (2) "accessory use" means a use of land, buildings or structures which is incidental and subordinate to the principal use of the lands and buildings.
- (3) "agricultural use" means lands, buildings or structures, excluding any portion thereof used as a dwelling unit, used or designed or intended for use for the purpose of a bona fide farming operation including, but not limited to, animal husbandry, dairying, livestock, fallow, field crops, removal of sod, forestry, fruit farming, horticulture, market gardening, pasturage, poultry keeping, equestrian facilities and any other activities customarily carried on in the field of agriculture.
- (4) "apartment unit" means any residential dwelling unit within a building containing four or more dwelling units where the residential units are connected by an interior corridor; or any dwelling unit in a building containing non-residential uses, other than a home occupation.
- (5) "bedroom" means a habitable room large enough to accommodate a sleeping arrangement including a den, study or other similar area, but does not include a living room, dining room or kitchen.
- (6) "benefiting area" means an area defined by a map, plan or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service.
- (7) "board of education" means a board defined in subsection(1) of the Education Act.
- (8) "Building Code Act" means the Building Code Act, R.S.O. 1990, c.B.-13, as amended.
- (9) "capital cost" means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or under an agreement,
 - (a) to acquire land or an interest in land including a leasehold interest;
 - (b) to improve land;
 - (c) to acquire, lease, construct or improve buildings and structures;
 - (d) to acquire, lease, construct or improve facilities including,
 - i. rolling stock with an estimated future life of seven years or more;
 - ii. furniture and equipment, other than computer equipment, and materials acquired for circulation, reference or information purposes by
 - iii. a library board as defined in the Public Libraries Act, R.S.O. 1990, c.P.44; and
 - (e) to undertake studies in connection with any matter under the Act and any of the matters in clauses (a) to (d);
 - (f) to complete the development charge background study under s.10;

(g) interest on money borrowed to pay for costs in (a) to (d);

required for the provision of services designated in this by-law within or outside the municipality.

(10) "council" means the Council of the municipality.

(11) "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes redevelopment.

(12) "development charge" means a charge imposed against land in the municipality under this by-law.

(13) "dwelling" or "dwelling unit" means any part of a building or structure with one or more habitable rooms designed or intended to be used as a domestic establishment in which one or more persons may sleep and in which sanitary facilities are provided for their exclusive use and a separate kitchen may or may not be provided. "Housing unit" shall have the same meaning as "dwelling unit" and where used in this by-law or the Schedules to this by-law, "housing" and "dwelling" shall be interchangeable.

(14) "dwelling, single detached" means a separate building containing only one dwelling unit.

(15) "dwelling, semi-detached" means a separate building that is divided vertically and contains only two dwelling units each having two separate private ground level entrances.

(16) "dwelling, row (house)" means one of a group of three or more attached single dwelling units, each having an independent entrance either directly from outside or through a common vestibule to which each unit's access is provided by corridors, stairs or elevators.

(17) "dwelling, other multiples" means all dwellings other than single detached dwellings, semi-detached dwellings and apartment units.

(18) "farm" means an agricultural operation located on lands zoned for agriculture.

(19) "front-end payment" means a payment made by an owner pursuant to a front- ending agreement to cover the net capital costs of the services designated in the agreement that are required to enable the land to be developed.

(20) "front-ending agreement" means an agreement made under Section 44 of the Act between the municipality and any or all owners within a benefiting area providing for front-end payments by an owner or owners or for the installation of services by an owner or owners or any combination thereof.

(21) "gross floor area" means the sum total of the total areas of all floors in a building or structure, whether at, above, or below grade, measured between the exterior faces of the exterior walls of a building or structure or from the centre line of a common wall separating two uses, or from the outside edge of a floor where the outside edge of the floor does not meet an exterior or common wall, and:

- (a) includes the floor area of a mezzanine, atrium or air-supported structure, and the space occupied by interior wall partitions; and
 - (b) where a building or structure does not have any walls, the gross floor area of the building or structure shall be the total of the area of all floors, including the ground floor, that are directly beneath the roof of the building or structure.
- (22) "hospice dwelling" means a building containing more than four (4) dwelling units or dwelling rooms designed to provide lodging, palliative care and other support services to patients with terminal or life threatening diseases, conditions or disorders provided:
 - (a) The dwelling units or rooms have a common entrance at street level;
 - (b) The patients have the right to use common facilities; and
 - (c) The dwelling units or rooms may or may not have exclusive sanitary facilities.
- (23) "industrial" means a building used for or in connection with:
 - (a) manufacturing, producing, processing, or distributing something; and
 - (b) research or development in connection with manufacturing, producing or processing something.
- (24) "local board" means a school board, public utility commission of the Town (excluding any hydro-electric utility), public library board, local board of health, or any other board, commission, committee or body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the municipality or any part or parts thereof.
- (25) "local services" means those services, facilities or things which are under the jurisdiction of the municipality and are within the boundaries of , abut or are necessary to connect lands to services and an application has been made in respect of the lands under Sections 41, 51 or 53 of the Planning Act, R.S.O. 1990, c.P.-13.
- (26) "municipality" or "Town" means The Corporation of the Town of New Tecumseth.
- (27) "non-industrial" means a building or structure used for other than a residential use or an industrial use.
- (28) "official plan" means the Official Plan now in force in the Town of New Tecumseth and any amendments thereto together with any subsequent Plan or Plans enacted for the Town planning area.
- (29) "owner" means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed.
- (30) "Planning Act" means the Planning Act, R.S.O. 1990, c.P.-13, as amended.

- (31) "regulation" means any regulation made pursuant to the Act.
- (32) "residential use" means the use of a building or structure or part or parts thereof as a dwelling.
- (33) "rural areas" means those areas within the municipality which do not require municipal water and sanitary sewer services and are generally the areas outside of the community boundaries of Alliston, Beeton and Tottenham as shown in the Official Plan as amended.
- (34) "services" (or "service") means those services designated in Schedule "A" to this by-law or specified in an agreement made under Section 44 of the Act.
- (35) "services in lieu" means those services specified in an agreement made under Section 11 of this by-law.
- (36) "servicing agreement" means an agreement between a landowner and the municipality relative to the provision of municipal services to specified lands within the municipality.
- (37) "special care or special need dwelling" means a building containing more than four dwelling units or dwelling rooms that is designed to accommodate individuals with specific needs, including independent permanent living arrangements, where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services are provided at various levels, and:
- (a) the units have common entrance from street level;
 - (b) the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings; and
 - (c) the units or rooms may or may not have exclusive sanitary or culinary facilities or both, which includes but is not limited to a nursing home, retirement home and group home/shelter.
- (38) "temporary structure" (or use)" means a building or structure which is designed, used or intended for non-residential uses that is constructed, erected or placed upon lands and which is demolished or removed from the lands within three (3) years of building permit issuance (or such extended term permitted by the Town) and includes, but is not limited to, sales offices, office trailers, industrial tents, and temporary or seasonal structures such as tents, awnings and environmental coverings.
- (39) "urban areas" means those areas within the municipality which do require municipal water and sanitary sewer services and are generally the areas within the community boundaries of Alliston, Beeton and Tottenham as shown in the Official Plan as amended.

Schedule of Development Charges

2.

- (1) Subject to the provisions of this by-law, development charges against land shall be calculated and collected in accordance with the base rates set out

in Schedules "B" and "C", which relate to the services set out in Schedule "A".

- (2) The development charge with respect to the use of any land, buildings or structures shall be calculated as follows:
 - (a) In the case of residential development, or the residential portion of a mixed-use development, based upon the number and type of dwelling units.
 - (b) In the case of industrial development, or the industrial portion of a mixed-use development, based upon the gross floor area of such development.
 - (c) In the case of non-industrial development, or the non-industrial portion of a mixed-use development, based upon the gross floor area of such development.
- (3) Council hereby determines that the development of land, buildings or structures for residential, industrial and non-industrial uses have required or will require the provision, enlargement, expansion or improvement of the services referenced in Schedule "A".

Phase-in of Development Charges

3. The residential, industrial and non-industrial use development charges are imposed pursuant to this by-law and are not being phased-in and are payable in full, subject to the exemptions herein, from the effective date of this by-law.

Applicable Lands

4.
 - (1) Subject to subsection (3), this by-law applies to all lands in the municipality, whether or not the land or use is exempt from taxation under Section 3 of the Assessment Act, R.S.O. 1990, c.A.31.
 - (2) For the purpose of complying with section 6 of the Act;
 - (a) the area to which this by-law applies shall be the area described in subsection 1 above.
 - (b) the rules developed under paragraph 9 of subsection 5(1) of the Act for determining if a development charge is payable in a particular case and for determining the amount of the charge shall be as set forth in sections 5 through 10 of this by-law.
 - (c) the rules for exemptions shall be as set forth in subsection (3) of Section 4 of this by-law.
 - (d) the rules respecting redevelopment of land shall be as set forth in section 7 of this by-law.
 - (3) This by-law shall not apply to land that is owned by and used for the purposes of:

- (a) a board of education;
- (b) any municipality or local board thereof;
- (c) public hospitals, under the *Public Hospitals Act*;
- (d) those portions of places of worship exempt from taxation under Section 3 of *the Assessment Act*;
- (e) agricultural uses;
- (f) a consent (boundary line adjustment) under Section 53 of the *Planning Act* where no new building lot is created;
- (g) the relocation of a heritage building within the municipal boundaries;
- (h) buildings and structures for publicly-funded post-secondary school educational institutions established pursuant to the *Ministry of College and Universities Act*, R.S.O. 1990, c.M19, as amended;
- (i) temporary structures, provided they continue to comply with the definition set out above and any Agreement entered into with the Town; and
- (j) a hospice dwelling.

Rules with Respect to Exemptions for Intensification of Existing Housing

5.

- (1) Pursuant to subsections 2(3) and (3.1) of the Act, no development charge shall be imposed with respect to the following:
 - (a) the enlargement of an existing dwelling unit;
 - (b) the creation of additional dwelling units as prescribed in the Regulation, subject to any restrictions as set out in the Regulation, in prescribed classes of existing residential buildings or prescribed structures ancillary to existing residential buildings as set out in the Regulation; or
 - (c) the creation of a second dwelling unit in prescribed classes of proposed new residential buildings as set out in the Regulation, including structures ancillary to dwellings, subject to any restrictions as set out in the Regulation.
- (2) Where the requirements of subsections 5(1)(b) or (c) of this by-law are not met, development charges shall be calculated and collected in accordance with Schedule "B" for any additional dwelling units.

Rules with Respect to an "Industrial" Expansion Exemption

6.

- (1) For the purposes of calculating development charges pursuant to section 2, if a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge that is payable is the following:
 - (a) if the gross floor area is enlarged by 50 per cent or less, the amount of the development charge in respect of the enlargement is zero; or
 - (b) if the gross floor area is enlarged by more than 50 per cent, development charges are payable on the amount by which the enlargement exceeds 50 per cent of the gross floor area before the enlargement.
- (2) For the purpose of this section, the terms "gross floor area" and "existing industrial building" shall have the same meaning as those terms have in O.Reg. 82/98 made under the Act.
- (3) In this section, for greater certainty in applying the exemption herein:
 - (a) the gross floor area of an existing industrial building is enlarged where there is a bona fide physical and functional increase in the size of the existing industrial building.
 - (b) for the purpose of determining any enlargement, the existing industrial building will be its gross floor area as of the date of passage of this by-law ("original gross floor area").
 - (c) the maximum exemption permitted during the term of this by-law will be 50% of the original gross floor area irrespective of the number of enlargements or expansions of the gross floor area that have taken place or will take place over the course of the term of this by-law so that any enlargement beyond 50% of the original gross floor area during the term of this by-law will be subject to the development charge herein. For the purpose of this paragraph, the original gross floor area will be the gross floor area of the industrial building as of September 7, 2013.
 - (d) An expansion must be attached to and a bona fide extension of the existing building and attached shall not mean or include a tunnel, bridge, passageway, shared below grade connection (whether by footing, foundation, passageway or otherwise), shared roof connection or shared parking facility.

Rules with Respect to the Redevelopment of Land

7. Where, as a result of the redevelopment of land, a building or structure, proven to be occupied or able to be occupied at the time of issuance of the demolition permit, was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- (a) in the case of a residential building or the residential portion of a mixed-use building or structure, an amount calculated by multiplying the applicable development charges under section 2 of this by-law by the number, according to type of dwelling units that have been demolished or converted to another principal use;
- (b) in the case of a non-industrial building or the non-industrial portion of a mixed-use building or structure, an amount calculated by multiplying the applicable development charges under section 2 of this by-law by the non-industrial gross floor area that has been demolished or converted to another principal use; and
- (c) in the case of an industrial building, or the industrial portion of a mixed-use building or structure, an amount calculated by multiplying the applicable development charges under Section (2) of this by-law by the industrial gross floor area that has been demolished or converted to another principle use;

provided that a building permit has been issued for the land within two (2) years from the date of issuance of the demolition permit and provided that such amounts shall not exceed in total the amount of the development charges otherwise payable with respect to the redevelopment.

Approval for Development

8.

- (1) Subject to subsection (2), development charges shall apply to, and shall be calculated and collected in accordance with the provisions of this By-law on land to be developed where, the development requires any one or more of the following:
 - (a) the passing of a zoning by-law or an amendment thereto under Section 34 of the *Planning Act*;
 - (b) the approval of a minor variance under Section 45 of the *Planning Act*;
 - (c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - (d) the approval of a plan of subdivision under Section 51 of the *Planning Act*;
 - (e) a consent under Section 53 of the *Planning Act*; the approval of a description under Section 50 of the *Condominium Act*, R.S.O. 1990 c.C-26; or
 - (f) the issuing of a permit under the *Building Code Act* in relation to a building or structure.
- (2) Subsection (1) shall not apply in respect of:
 - (a) local services installed or paid for by the owner within a plan of subdivision as a condition of approval under Section 51 of the *Planning Act*;

(b) local services installed or paid for by the owner within the area to which the development relates; or

(c) local services installed at the expense of the owner as a condition of approval under Section 53 of the *Planning Act*.

Local Service Installation

9. Nothing in this by-law prevents Council from requiring as a condition of any approval or agreement for development under the *Planning Act*, including sections 41, 51 or 53 of the *Planning Act*, that the owner, at his or her own expense, shall install such local services within the area to which the development relates, or that the owner pay for local connections to water mains, sanitary sewers and/or storm drainage facilities, as Council may require.

Multiple Charges

10.

- (1) Where two or more of the actions described in subsection 8(1) of this by-law are required before land to which a development charge applies can be developed only one development charge shall be calculated and collected in accordance with the provisions of this by-law.
- (2) Notwithstanding subsection (1), if two or more of the actions described in subsection 8(1) occur at different times, and if the subsequent action has the effect of increasing the need for municipal services as designated in Schedule "A", an additional development charge on the additional residential units and/or the additional gross floor area for industrial or non-industrial shall be calculated and collected in accordance with the provisions of this by-law.

Services in Lieu

11.

- (1) Council may authorize an owner to substitute the whole or such part of the development charge applicable to the owner's development as may be specified in an agreement, by the provision at the sole expense of the owner, of services in lieu. Such agreement shall further specify that where the owner provides services in lieu in accordance with the agreement, Council shall give to the owner a credit related to the portion of the development charge attributable to services provided, equal to the reasonable cost to the owner of providing the services in lieu, provided such credit shall not exceed the total development charge payable by an owner to the municipality. Credits will be applied to development agreement activity or subsequent phase activity at the rate in effect. Council may at its discretion, apply post development remaining credit balances to another agreement, otherwise balances will be paid upon satisfactory development completion.
- (2) In any agreement under Subsection (1), Council may also give a further credit to the owner equal to the reasonable cost of providing services in

addition to, or of a greater size or capacity, than would be required under this by-law.

- (3) The credit provided for in Subsection (2) shall not be given for the cost of works which relates to an increase in the service standards used in the calculation of the charges in Schedules "B" and "C", and no credit shall be charged to any development charges reserve fund prescribed in this by-law.

Front-Ending Agreements

12. Council may enter into front-ending agreements in accordance with the provisions of the Act and the regulations from time to time in force.

Timing of Calculation and Payment

13.
 - (1) The total amount of development charges shall be calculated and be payable pursuant to this by-law, in accordance with Section 26, Section 26.1, and Section 26.2 of the Act.
 - (2) Where Section 26.1 and Section 26.2 of the Act do not apply, the total amount of development charges shall be calculated and be payable pursuant to this by-law as of the date the first building permit is issued.
 - (3) Where development charges apply to land in relation to which a building permit is required, the building permit shall not be issued until the development charge has been paid in full or as otherwise required in accordance with the Act.
 - (4) Notwithstanding subsections 13(1) and (2) of this by-law, an owner and the Town may enter into an agreement to provide for the payment in full of a development charge before building permit issuance or later than the issuing of a building permit, in accordance with Section 27 of the Act.
 - (5) If a development does not require a building permit, the development charge shall be calculated and paid in full at the rate in effect at the time the approval is granted as a condition of the earliest of any of the approvals required for the development as enumerated in Section 2 of this by-law.
 - (6) Notwithstanding subsection 13(1) to 13(5) and unless an agreement is otherwise entered into with the municipality as set out in sub-section (7), the portion of the development charge with respect to Engineered Services, being Water Services, Wastewater Services and Services Related to a Highway: Roads and Related, will be payable with respect to an approval of a plan of subdivision under Section 51, of the Planning Act immediately upon entering into an agreement and with respect to a consent under Section 53 of the Planning Act, immediately upon entering into a consent agreement and prior to final approval of the consent, in the event the owner and the Municipality mutually agree to do so.
 - (7) Notwithstanding subsections 13(1) to 13(6), an owner may enter into an agreement with the municipality to provide for the payment in full or in part of a development charge before building permit issuance or later than the issuing of a building permit, as agreed, and for the charging of interest by

the municipality on that part of the development charge paid after it would otherwise have been payable. Further, as an alternative to payment of the development charge for the Engineered Services set out in sub-paragraph (6), an owner may request an agreement with the municipality based on the following principles:

- a. Upon execution of the agreement, payment of the Engineered Services development charges for forty percent (40%) of the total units in the approved plan at the rate then in force;
- b. For the one-year period after the date of execution of the agreement, the full development charge for each and every building permit issued after forty percent (40%) of the approved units has been reached;
- c. On the one-year anniversary date of execution of the agreement, payment of the Engineered Services development charges for all remaining outstanding building permits that have not been issued for the approved plan at the rate then in force; and
- d. For greater certainty, whether or not an agreement is entered into regarding the Engineered Services, the general services portion of the development charge is due and payable at the time of the issuance of each and every building permit.

By-law Registration

14. A certified copy of this by-law may be registered on title to any land to which this by-law applies.

Reserve Fund(s)

15.

- (1) Monies received from payment of development charges shall be maintained in separate reserve funds as follows: Library Board, Fire Services, Joint Police Services, Parks and Recreation, Services Related to a Highway: Public Works, Development Related Studies, Services Related to a Highway: Roads and Related, Water Service, and Wastewater Service. Funds shall be used only in accordance with the provisions of Section 35 of the Act.
- (2) Where any development charge, or part thereof, remains unpaid after the due date, the amount unpaid shall be added to the tax roll and shall be collected as taxes.
- (3) Where any unpaid development charges are collected as taxes under subsection (2), the monies so collected shall be credited to the development charge reserve fund or funds referred to in subsection (1).
- (4) The Treasurer of the Municipality shall, in each year commencing in 2022 for the 2021 year, furnish to council a statement in respect of the reserve fund established hereunder for the prior year, containing the information set out in Sections 12 and 13 of O.Reg. 82/98.

- (5) Borrowing from the reserve fund, or from one designated municipal service fund to another, for municipal financial purposes will be permitted as authorized from time to time by resolution or by-law of Council provided interest is paid in accordance with the Act and the regulations thereto, and in particular Section 36.

Interest Payments

16.

- (1) The Town may charge interest on the installments required by subsection 26.1(3) of the Act from the date the development charge would have been payable in accordance with Section 26 of the Act to the date the installment is paid.
- (2) Where subsections 26.2(1) (a) or (b) of the Act applies, the Town may charge interest on the development charge from the date of the application referred to in the applicable clause to the date the development charge is payable under subsection 26.2(3) of the Act.
- (3) The Town may determine, by Council resolution or policy external to this by-law, interest rates in relation to subsections 16(1) and (2) of this by-law.

Refunds or Corrections

17.

- (1) Refunds or partial refunds of development charges that have been paid will be made, without interest, where:
 - (a) a building permit is cancelled, revoked, or amended for any reason prior to the commencement of construction resulting in an overpayment of development charges to the Town, subject to the payment of the applicable fees as set by the Town from time to time in its Fees and Charges By-law, as amended; or
 - (b) an internal clerical error, including the transposition of figures, a typographical or similar error, has occurred with respect to the calculation of a development charge which resulted in an overpayment to the Town.

18.

- (1) Additional payment of development charges shall be made where a clerical or factual error, including the transposition of figures, a typographical or similar error, has occurred with respect to the calculation of a development charge under this by-law or any other by-law which resulted in an underpayment to the Town or any other government entity.

By-law Amendment or Repeal

19.

- (1) Where this by-law or any development charge prescribed thereunder is amended or repealed either by order of the Ontario Land Tribunal or by the Municipal Council, the Municipal Treasurer shall calculate forthwith the amount of any overpayment to be refunded as a result of said amendment or repeal.

(2) Refunds that are required to be paid under subsection (1) shall be paid to the registered owner of the land on the date on which the refund is paid.

(3) Refunds that are required to be paid under subsection (1) shall be paid with interest to be calculated as follows:

(a) Interest shall be calculated from the date on which the overpayment was collected to the date on which the refund is paid;

(b) The refund shall include the interest owed under this section;

(c) Interest shall be paid at the Bank of Canada rate in effect on the date of enactment of this by-law.

Development Charge Schedule Indexing

20. The development charges referred to in Schedule "B" and "C" shall be adjusted semi-annually, without amendment to this by-law, commencing in July, 2022, and semi-annually thereafter in each January and July while this by-law is in force, in accordance with the most recent semi-annual change in the Statistics Canada Non-Residential Building Construction Price Index for Toronto.

By-law Administration

21. This by-law shall be administered by the Municipal Treasurer.

Schedules to the By-law

22. The following schedules to this by-law form an integral part of this by-law:

Schedule A – Schedule of Municipal Services

Schedule B – Schedule of Municipal Residential Development Charges

Schedule C – Schedule of Municipal Industrial and Non-Industrial Development Charges

Existing Development Charge By-law Repeal

23. By-law 2018-116 together with any other amendments thereto, are repealed effective upon the coming into force of this by-law on January 1, 2022.

Severability

24. If, for any reason, any provision, section, subsection or paragraph of this By-law is held to be invalid, it is hereby declared to be the intention of Council that all of the remainder of this by-law shall continue in full force and effect until repealed, re-enacted or amended, in whole or in part or dealt with in any other way.

Date By-law Effective and Expires

25. (1) This by-law shall come into force and effect on January 1, 2022.

- (2) This by-law shall continue in force and effect for a term not to exceed five years from the date of coming into force, unless it is extended by statute, regulation or by-law, or repealed at an earlier date.
- (3) Nothing herein shall restrict the ability of Council to amend this by-law as it deems appropriate from time to time.

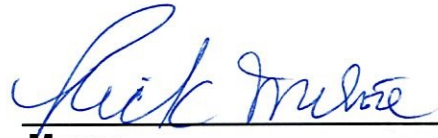
Headings for Reference Only

26. The headings inserted in this by-law are for convenience of reference only and shall not affect the construction or interpretation of this by-law.

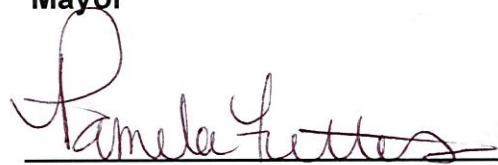
Short Title

27. This by-law shall be cited as the "Development Charges By-law 2021".

Read a first, second and third time and finally passed this 13th day of December, 2021.



Mayor



Clerk

The Corporation of The Town of New Tecumseth

Schedule “A”

Designated Municipal Services under this Development Charge By-law

- 1. Library Board
- 2. Fire Services
- 3. Joint Police Services
- 4. Parks and Recreation
- 5. Services Related to a Highway: Public Works
- 6. Development-Related Studies
- 7. Services Related to a Highway: Roads and Related
- 8. Water Services
- 9. Wastewater Services

The Corporation of The Town of New Tecumseth

Schedule “B”
Schedule of Municipal Residential Development Charges under this
Development Charge By-law

Service	Residential Charge By Unit Type				
	Singles & Semis	Rows & Other Multiples	Apartments 2+ Bedrooms	Apartments Bachelor or 1 Bedroom	Special Care or Specialized Units
Library Board	\$ 927	\$ 770	\$ 667	\$ 424	\$ 303
Fire Services	\$ 1,647	\$ 1,367	\$ 1,184	\$ 754	\$ 538
Joint Police Services	\$ 38	\$ 32	\$ 27	\$ 17	\$ 12
Parks And Recreation	\$ 16,590	\$ 13,771	\$ 11,928	\$ 7,590	\$ 5,422
Services Related To A Highway: Public Works	\$ 2,064	\$ 1,713	\$ 1,484	\$ 944	\$ 675
Development Related Studies	\$ 470	\$ 390	\$ 338	\$ 215	\$ 154
Subtotal General Services	\$ 21,736	\$ 18,043	\$ 15,628	\$ 9,944	\$ 7,104
Services Related To A Highway: Roads And Related	\$ 19,873	\$ 16,496	\$ 14,288	\$ 9,092	\$ 6,494
Water Service	\$ 13,688	\$ 11,362	\$ 9,841	\$ 6,262	\$ 4,473
Wastewater Service	\$ 19,106	\$ 15,859	\$ 13,736	\$ 8,741	\$ 6,244
Subtotal Engineered Services	\$ 52,667	\$ 43,717	\$ 37,865	\$ 24,095	\$ 17,211
TOTAL CHARGE PER UNIT	\$ 74,403	\$ 61,760	\$ 53,493	\$ 34,039	\$ 24,315

The Corporation of The Town of New Tecumseth

Schedule “C”
Schedule of Municipal Industrial and Non-Industrial Development Charges
under this Development Charge By-law

Service	Industrial	Non-Industrial
	Charge per Square Metre	Charge per Square Metre
Library Board	\$ -	\$ -
Fire Services	\$ 6.43	\$ 12.01
Joint Police Services	\$ 0.15	\$ 0.28
Parks And Recreation	\$ -	\$ -
Services Related To A Highway: Public Works	\$ 8.05	\$ 15.05
Development Related Studies	\$ 1.84	\$ 3.43
Subtotal General Services	\$ 16.47	\$ 30.77
Services Related To A Highway: Roads And Related	\$ 73.56	\$ 128.54
Water Service	\$ 72.13	\$ 87.95
Wastewater Service	\$ 140.79	\$ 123.27
Subtotal Engineered Services	\$ 286.48	\$ 339.76
TOTAL CHARGE PER SQUARE METRE	\$ 302.95	\$ 370.53